

REMARKS

By this Amendment, claims 1, 3-6, 9-12, 14-17, 20 and 24-26 are pending.

In the Office Action of May 23, 2003, the Examiner objected to the drawings and rejected claim 10, 15 and 23 for the recitation and depiction of a tear strip. The Examiner stated that Figure 4 seems to indicate that panel 71 is connected to panel 73 via a tear line, not a tear strip, which requires the complete removal of a strip from both the side wall and the cover. The specification and drawings disclose such a tear strip, completely removed from both the side wall and the cover. Referring to paragraph 17, it is stated that a tear seam 73 is formed within the linking panel 71 by a pair of spaced perforation lines. The pair of spaced perforation lines enables the tear seam 73 to be completely removed. The claims have been amended to replace the term tear strip with tear seam to be consistent with the specification. However, the meaning of two terms is identical.

The Examiner rejected claims 1-5 and 11 as being anticipated by Pollock, and claims 12, 13, 16, 17 and 20 as being anticipated by Bolding. These rejections are respectfully traversed. Specifically, claim 3 recites that the dividing panels are formed by cut lines in the inner back panel. The divider panels identified by the Examiner are not formed by cut panels in the inner back panel 32 of Hollick or the inner back panel 56 of Bolding.

The Examiner also rejected claims 1-9 and 11 as being obvious over Bolding in view of Rutledge or Forbes, Jr. This rejection is respectfully traversed as claim 8 states that the notch supporting the shelf is formed in an edge in the inner back panel opposite the first side panel. Neither Rutledge or Forbes, Jr. discloses this limitation.

The claims have been amended to overcome the art cited by the Examiner. Specifically, claim 1 now recites the fold lines connecting the various panels and the fact that the first fold line between the inner back panel and the side wall and the fourth fold line between the outer back panel and the second side panels are parallel. This allows the inner and outer back panel to be folded over one another when the blank is formed into a carton. This limitation is not shown or described by Pollock. Claim 12 has been amended to incorporate the subject matter of claim 13 and to specify that the connector panel is connected to the outer back panel by a fold line and that the cover panel is connected to the connector panel by a fold line. This limitation is not found in Bolding.

The claims are allowable over the prior art and favorable action is completely and earnestly solicited. If any additional issues remain and the Examiner believes a telephone conversation will resolve such issues, the Examiner is urged to contact the undersigned attorney. No fees are due and owing, but the Commissioner is authorized to charge Deposit Account 08-2455 any deficiency.

Respectfully submitted,



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